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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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RIGOBERTO ENRIQUE ISAZA,

)

9 Plaintiff,

)

10 v.

2:15-cv-02478-RFB-PAL

11 DEPARTMENT OF CORRECTIONS et al.,

ORDER

12 Defendants.

)

13 _____)

14 **I. DISCUSSION**

15 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
16 ("NDOC"), has filed a petition for judicial review and a motion to extend copy work limit. (ECF
17 No. 1, 2). Plaintiff has not filed a complaint or an application to proceed *in forma pauperis* in
18 this matter.

19 Pursuant to Federal Rule of Civil Procedure 3, "[a] civil action is commenced by filing
20 a complaint with the court." Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30)
21 days from the date of this order to submit a complaint to this Court.

22 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
23 application to proceed *in forma pauperis* and attach both an inmate account statement for the
24 past six months and a properly executed financial certificate. Plaintiff will be granted an
25 opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full
26 filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis*
27 he must file a fully complete application to proceed *in forma pauperis*.

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1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND
3 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as
4 the document entitled information and instructions for filing an *in forma pauperis* application.

5 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
6 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
7 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
8 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
9 administrative fee).

10 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court within
11 **thirty (30) days** from the date of this order.

12 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the
13 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk
14 of the Court shall also send Plaintiff a copy of his petition for judicial review. (ECF No. 1).

15 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
16 dismissal of this action may result.

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18 DATED: This 30th day of December, 2015.

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21 United States Magistrate Judge
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